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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,775	04/19/2005	Ingo Hutter	PD020097	6044
24498	7590	11/28/2007		
THOMSON LICENSING LLC			EXAMINER	
Two Independence Way			ALI, FARHAD	
Suite 200				
PRINCETON, NJ 08540			ART UNIT	PAPER NUMBER
			2146	
			MAIL DATE	DELIVERY MODE
			11/28/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/531,775	<b>Applicant(s)</b> HUTTER, INGO	
	<b>Examiner</b> Farhad Ali	<b>Art Unit</b> 2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Cheng (US 2003/0005130 A1).

Cheng teaches:

#### Claim 1

A method for monitoring audio/video connections hereinafter called AV connections which have been set up in a network of distributed stations which are networked with one another via at least one of a wire-free and a wire bus connections (Paragraph [0014], "The resource manager and the path manager are configured to manage device and network resources that are distributed in heterogeneous networks, such as resources distributed in networks using mixed Ethernet, 1394, 802.11, HyperLAN2, USB, HPNA"), wherein

at least two types of stations exist in the network; one type of station being a control device for initiating, controlling and removing an AV connection from said AV

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connections (Paragraph [0023], "UPnP controllers 161 are hereinafter referred to as user control points (UCPs)"), and the other type of station being a controlled device being at least one of a AV server device and an AV renderer device (Paragraph [0024], "controlled, or slave, devices"), wherein

between at least two controlled devices said AV connection can be set up and said controller device station monitors said AV connection to determine whether a device from said at least two controlled devices which is AV connected to said controller device has sent a logging-off message whereby when said logging-off message is detected, said controller device station autonomously ends the setting up of said AV connection with said station from said at least control device which is logged off.

(Paragraph [0027], "This invention provides the necessary features and functions to the enabling logic 120 to facilitate efficient and effective transfer of audio-video information, or other time-sensitive information among devices on heterogeneous networks", and Paragraph [0037], "In a preferred embodiment, an application is provided the option of managing resource reservation, path setting, and scheduling activities directly, or it can request the action manager 310 to manage these activities. By providing an action manager 310, the application can be free from the concerns of detailed resource management and path management. Preferably, network resources are allocated and the path is set up immediately prior to the time that an action is to take place, to maximize the use of network resources, although device resources can be reserved well before the effective time by the action manager 310, or the application", and Paragraph [0056], "When the resource manager 320 receives a departure notification, it

can either delete the entry, or mark the entry to indicate the departure of the resource", and in Figure 3, #120 includes the device manager module, action manager module, resource manager module, and path manager module, where #120 can be implemented Per device).

### **Claim 2**

The method as claimed in claim 1, wherein a station which is AV connected to another station sends a signaling request to the stations in the network in the situation where the AV connection has remained unused for a first specific time, and in that, in the situation where the signaling request remains unanswered by the station which is AV connected to the requesting station, the requesting station autonomously internally ends the setting up of the AV connection (Paragraph [0048]-[0050], "A requester sends a request, which may be either a "RESERVE" message or a "RELEASE" message, to any known resource manager. Each resource manager executes a continuous loop, waiting to receive the message, at 410. If, at 415, the message is a RESERVE request, the manager attempts to reserve all the resources along the path and under its responsibility, via the loop 420-435. At 425, the receiving resource manager first tries to find a resource yet to be reserved. If found and the resource is under the responsibility of the receiving resource manager, it tries to reserve the resource. If the reservation is successful, at 430, it modifies the reservation request to indicate that this resource has been reserved, and proceeds to find the next yet-to-be-reserved resource. The process 420-435 is repeated until the resource manager has either successfully reserved all the

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resources in the path and under its responsibility or it has failed to reserve one such resource. In the case of a failed reservation, at 430, the resource manager sends a FAILED message to the requester, at 480. The resource manager then releases all the resources that it has reserved for this task, and sends a RELEASE message to all prior resource managers, terminates the reservation for this path, at 485, and updates the resource management database 325, at 490. If, via the loop 420-435, the resource manager has successfully reserved all the resources under its responsibility, it will check, at 440, whether there are still more resources to be reserved. If not, the resource manager sends a SUCCESS message to the requester, at 445, updates its corresponding resource management database 325, at 490, and terminates the reservation for this path. If, at 440, there are more yet-to-be-reserved resources in the path, it marks the resources that it just reserved as "reserved", forwards the request to the next resource manager, at 450, and waits for an acknowledgement message from the next resource manager. If, at 455, it does not receive an acknowledgement message before a timeout, it sends a FAILED message to the requester, at 480, releases all the resources it has reserved for the request, sends a RELEASE message to all the prior resource managers, updates its corresponding resource management database 325, at 490, and terminates the reservation for this path. If, at 455, the resource manager receives an acknowledgement message before a time out, the resource manager updates its corresponding resource management database 325, at 490, loops back to 410, and repeats the above process for each subsequent request").

**Claim 3**

With regard to claim 3, it is similarly rejected according to claim 2.

**Claim 4**

With regard to claim 4, it is similarly rejected according to claim 2.

**Claim 5**

The method as claimed in claim 1, wherein at least one of audio and video data transmitted via the AV connection (Paragraph [0027], "This invention provides the necessary features and functions to the enabling logic 120 to facilitate efficient and effective transfer of audio-video information, or other time-sensitive information among devices on heterogeneous networks).

**Claim 6**

The method as claimed in claim 1, wherein the data transmissions in the network carried out in accordance with the rules of the UPnP Standard (Paragraph [0009], "It is an object of this invention to provide a system, method, and architecture to support the transfer of audio-video information via a UPnP network").

**Claim 7**

With regard to claim 7, it is similarly rejected according to claim 1.

**Claim 8**

With regard to claim 8, it is similarly rejected according to claim 2.

**Claim 9**

With regard to claim 9, it is similarly rejected according to claim 2.

**Claim 10**

With regard to claim 10, it is similarly rejected according to claim 2.

**Claim 11**

With regard to claim 11, it is similarly rejected according to claim 6.

***Response to Arguments***

Applicant's arguments with respect to claim 1, 4, 7, and 10 and have been considered but are moot in view of new ground(s) or rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhad Ali whose telephone number is (571) 270-1920. The examiner can normally be reached on Monday thru Friday, 7:30am to 5:00pm.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

F.A.



JEFFREY PWU  
SUPERVISORY PATENT EXAMINER